

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

March 19, 2007

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing or
Rehearing En Banc

No. 06-20856 Regents of Univ CA v. Credit Suisse USA
USDC No. 4:01-CV-3624

Enclosed is a copy of the court's decision. The court has entered judgment under FED. R. APP. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

FED. R. APP. P. 39 through 41, and 5TH CIR. RULES 35, 39, and 41 govern costs, rehearings, and mandates. **5TH CIR. RULES 35 and 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following FED. R. APP. P. 40 and 5TH CIR. R. 35 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. 5TH CIR. R. 41 provides that a motion for a stay of mandate under FED. R. APP. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under FED. R. APP. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

The judgment entered provides that appellees pay to appellants the costs on appeal.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: Jamei Richey
Jamei Richey, Deputy Clerk

Enclosure
Mr Barry Abrams
Mr Stuart J Baskin
Mr David J Beck
Mr David H Braff
Mr George W Bramblett Jr
Mr Richard W Clary
Mr Marc De Leeuw
Mr Lawrence David Finder

Mr David Michael Gunn
Mr Adam S Hakki
Ms Noel M B Hensley
Ms Laura W Brill
Mr Darin P McAtee
Mr David S Morales
Mr David Siegel
Mr Jonathan P Steinsapir
Ms Julie A North
Mr Russell Stanley Post
Mr Jeffrey T Scott
Mr Michael T Tomaino
Mr Odean L Volker
Mr Herbert S Washer
Mr Spencer Alan Burkholz
Mr Patrick J Coughlin
Mr Joseph David Daley
Ms Helen J Hodges
Mr Eric Alan Isaacson
Mr William S Lerach
Mr Sanford Svetcov
Mr David S Siegel
Mr Joseph D Jamail
Mr John K Villa
Mr Daniel David Williams